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PATENT APPLICATION

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): **David P. Ferguson**

Confirmation No.: **9007**

Application No.: **09/679,691**

Examiner: **EI Chanti**

Filing Date: **10-5-00**

Group Art Unit: **2157**

Title: Device Detection System and Method

**Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450**

TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on 2-27-06

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

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Respectfully submitted,

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By

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David P. Ferguson

Serial No.: 09/679,691

Group Art Unit: 2157

Filed: October 5, 2000

Examiner: El Chanti

For: **Device Detection System and Method**

Docket No. 10004941-1

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed February 27, 2006 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Applicant's Appeal Brief. Applicant addresses selected responses in the following.

A. Determining What Peripheral Devices are Connected to Other Computers

The Examiner begins his discussion of Applicant's arguments by stating that Applicant argues that Goshey does not disclose a program or component that is configured to "determine" what peripheral devices are connected to other computers.

Applicant notes that the above is not an explicit limitation of Applicant's claims. Therefore, Applicant declines to comment on the Examiner's argument and instead addresses the actual limitations of Applicant's claims in the following.

B. Sending a Scan Request

The Examiner argues that: "Goshey teaches the system and method where the client is capable of sending a 'get support info command'. In response to the request, a request is sent to the servers connected on the network to identify the host adaptors and the peripheral devices connected to each of the servers." The Examiner then identifies column 8, line 50 to column 9, line 61 of the Goshey reference for support. Applicant disagrees with the Examiner's interpretation as to what Goshey teaches.

Column 8, line 50 to column 9, line 61 of the Goshey reference provides as follows:

. . . overhead while providing acceptable performance across a network.

A typical RPC subsystem is based on a Client/Server model of functionality. This means that the Client is free to call upon the Server to perform

various tasks whenever the Client desires. Although this method works well, a standard RPC does not provide a way for the Server to call its Clients whenever it desires. For example, the Server is conventionally only allowed to send a message to a Client when the Server is processing a request from a Client.

To remedy this problem, a second Client/Server interface is created. In this embodiment, the second Client/Server interface (i.e., a call-back sub-interface) is configured to pass messages from the Server to the Client. To accomplish this, the Server ScanLAN application is set to respond as if it were a Client ScanLAN application, and the Client ScanLAN application is set to respond as if it were a Server ScanLAN application. Once the Client and Server respond as described above for the purpose of sending messages from the Server to the Client, the Server application can send a number of informative messages to the Client during its operation.

For example, when a computer running a Server ScanLAN application is about to be shutdown, that Server will send a message to all Clients informing them of the shutdown so they can clean up any of their applications that are using the Server (i.e., a peripheral device that is connected to the Server). Another example of when the Server needs to send a message to the Clients is when a wait queue is accessed, and the Server needs to let the next Client know it can now use a device that is connected to the Server. Other messages may include plug-n-play messaging.

Referring back to the Server ScanLAN window 340 of FIG. 3C, the user may select one of the peripheral devices 118, 120, or 121, and then designate them to be "Shared or Not shared" by one of the Clients 342 by right-clicking on one of the Clients 342. For example, as shown in FIG. 3D, when the Client 112d is selected, the user can modify the sharing rights to a particular peripheral device. Window 350 therefore shows the list of devices that are connected to computer 112b that has the Server ScanLAN application. Further, the user is able to view and/or modify the Client's sharing rights by first selecting a device from the list of devices, and then view and/or modify the sharing rights 352.

In this example, the scanner 118 is selected and is marked to be shared from the sharing rights 352. Once the sharing rights have been modified in accordance with the user's desire, the sharing rights will become effective once the OK or the APPLY icon is selected from window 350. Of course, the sharing rights of any one of the other peripheral devices or the host adapter can also be modified.

FIG. 3E shows a properties window 360 in accordance with one embodiment of the present invention. When the user selects the scanner 118 from the list of devices shown in FIG. 3D, the particular sharing rights for that peripheral device will be appropriately identified. As shown, the scanner 118 is selected to be a "shared" peripheral device. In addition, the properties window 360 shows the device reservation data for that scanner 118.

FIG. 3F shows a Client ScanLAN window 370 in accordance with one embodiment of the present invention. The Client ScanLAN window 370 has a general selection 372, which allows the user having the Client ScanLAN application loaded on its computer to enable or disable the Client ScanLAN application. As shown, a user can enable or disable the Client ScanLAN application at any time by selecting that option and clicking on the APPLY button. When the Client ScanLAN is enabled, the user of that computer can use and share SCSI peripherals across the network that are physically connected to a computer having the Server ScanLAN application (provided that Client is given enough sharing privileges by the user of the Server ScanLAN application). On the other hand, when the Client ScanLAN is disabled, the user cannot use or share any SCSI peripheral device across the network.

FIG. 3G shows the Client ScanLAN window 370 having a server list 374 selected in accordance with one embodiment of the present invention.

Goshey, column 8, line 50 to column 9, line 61.

Applicant asserts that, to the contrary of that argued by the Examiner, column 8, line 50 to column 9, line 61 says nothing whatsoever about a request that "is sent to the servers

connected on the network to identify the host adaptors and the peripheral devices connected to each of the servers.” Perhaps if Goshey actually did provide such a teaching the Examiner would have identified that teaching with greater specificity instead of just citing an entire column of the Goshey reference.

As described in the Appeal Brief, what Goshey does actually teach is presenting a list of peripherals available on a first computer to the user on a second computer. Despite that teaching, Goshey never discloses *how* the peripherals are located in the first place, for addition to the list. Instead, it is just *presumed* that the peripherals are known. In other words, Goshey is *silent* as to how it is first determined what peripheral devices are available on the network.

As also described in the Appeal Brief, Goshey could have envisioned a manual process to determine what peripherals are connected to each host computer. It is even possible that Goshey may have contemplated sending scan requests from one computer to another computer. This is just conjecture however, and *the only relevant fact is that the Goshey reference does not disclose that action.* Therefore, the Goshey reference cannot be said to anticipate Applicant’s claims under 35 U.S.C. § 102.

C. Receiving a Response to the Scan Request

As noted in the Appeal Brief, given that the Goshey reference does not disclose sending a scan request, it logically follows that Goshey does not anticipate receiving a response to that scan request.

D. Receiving Device Addresses and Requesting Info Directly from the Devices

In regard to the limitation “receiving device addresses from the application program interface and requesting information from the devices directly via the addresses” the Examiner states:

The local client receives a response from the scanLAN software installed on a remote computer where the list of devices are displayed to the client . . . The list of devices received are [sic] displayed to the user as shown in fig. 4D. Fig. 4D show [sic] the devices and device IDs of each device where the device ID represents the device address and therefore Goshey teaches requesting information from the devices directly via the addresses.

Examiner’s Answer, page 13, line 20 to page 14, line 3.

With all due respect to the Examiner, the above argument makes no sense. The Examiner is arguing that because a “list of devices” is “displayed to the user,” Goshey teaches requesting information from the devices? Applicant submits that the mere action of displaying a list to a client does not somehow include the action of requesting information from the devices. Therefore, Applicant maintains the argument that Goshey does not actually teach “receiving device addresses from the application program interface and requesting information from the devices directly via the addresses” as required by some of Applicant’s claims.

E. Consulting a List Prior to Sending the Scan Request

As noted in the Appeal Brief, given that the Goshey reference does not disclose sending a scan request, it logically follows that Goshey does not anticipate consulting a list “prior to sending the scan request” as required by some of Applicant’s claims.

F. Sending Multiple Scan Requests in Parallel

In regard to the limitations “sending multiple scan requests to multiple remote command processes running on network hosts” and “wherein the scan requests are sent in parallel”, the Examiner states:

The system include [*sic*] plurality of hosts that operate independent of each other and the requests to identify the peripheral devices connected to each of the hosts sent from the same client are sent independent of each other . . . Therefore Goshey teaches sending multiple scan requests to multiple processes or wherein the scan requests are sent in parallel by sending from a client multiple independent requests to multiple hosts.

Examiner's Answer, page 14, line 21 to page 15, line 4.

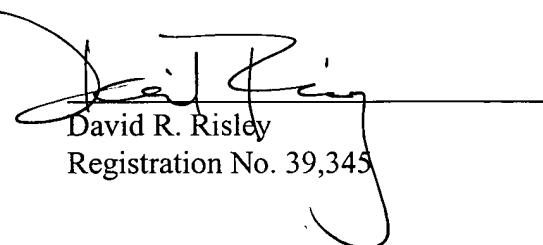
As a first matter, Applicant reiterates that Goshey does not actually teach sending a scan request to any computer. Therefore, the argument that Goshey teaches sending multiple scan requests is fallacious.

As a second matter, even if it were assumed that Goshey somehow taught sending multiple scan requests, Goshey certainly does not teach sending such requests “in parallel”. Applicant notes that the Examiner identifies no portion of the Goshey disclosure that provides such a teaching.

CONCLUSION

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,



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